

SENATE BILL REPORT

SHB 1625

As Reported By Senate Committee On:
Transportation, March 03, 2008

Title: An act relating to motorcycles at traffic signals.

Brief Description: Allowing motorcycles to stop and proceed through traffic signals under certain conditions.

Sponsors: House Committee on Transportation (originally sponsored by Representatives DeBolt, Blake, Hinkle, Warnick, Seaquist, Kagi, Kirby, Hunt, Wood, Dickerson, Conway, Lovick, Roach, Chase, Dunn, Flannigan, McCune, Priest, McDermott, Santos, Williams, McDonald, Newhouse, Alexander, Strow, Kretz, Condotta, Roberts, Ormsby, Haigh, Rolfes and Moeller).

Brief History: Passed House: 1/25/08, 86-8.

Committee Activity: Transportation: 2/27/08, 3/3/08 [DPA, w/oRec].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Berkey, Delvin, Jacobsen, Kauffman, Kilmer, King and Sheldon.

Minority Report: That it be referred without recommendation.

Signed by Senator Pflug.

Staff: Kelly Simpson (786-7403)

Background: Under current law, all vehicle operators are required to obey traffic control devices, including traffic signals at intersections. A violation of this law is a traffic infraction. Some traffic signals are equipped with sensors that determine when a vehicle has approached the intersection. Once the vehicle is detected by the sensor, the traffic signal will initiate a change in, or extension of, a traffic signal phase (e.g., change a red light to green).

Summary of Bill (Recommended Amendments): After stopping at an intersection controlled by a traffic signal using a vehicle detection device, a motorcyclist may proceed to turn left, after exercising due care, if a full cycle of the traffic signal has passed without the left turn signal operating. However, a belief that a traffic signal is equipped with a vehicle detection device, when it is not, is not a defense to a traffic citation for failure to obey a traffic signal. Similarly, a belief that the device is inoperative due to the size of the motorcycle is not a defense when the device is not inoperative.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Amendments): Removes the requirement that motorcyclists carry motor vehicle insurance, or other form of financial responsibility, in order to proceed against a red light. Updates the effective date.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on September 1, 2008.

Staff Summary of Public Testimony on Substitute Bill: PRO: This bill provides a safe way for motorcyclists to proceed through intersections when traffic signals fail to detect the motorcycle. Motorcyclists are safe drivers and will not exercise the authority in the bill in a hazardous manner. Traffic signals are often disabled or damaged, and fail to detect motorcycles. Current practice is more dangerous, as motorcyclists often turn back to the right into moving traffic. The bill is similar to laws in other states. Although the bill is supported, it is strongly urged that the insurance requirement be taken out of the bill.

CON: The insurance component of the bill presents law enforcement problems, as it will be very difficult to monitor this provision. The bill authorizes a very unsafe activity, as motorcyclists may miss traffic coming from a different direction while proceeding through an intersection against a red light. The issue seems to be more of a frustration issue than a safety issue. Frustrated motorcyclists could simply contact their local jurisdiction to have the sensors examined.

OTHER: Some traffic signals are not set up on a true cycle. In such cases, the bill may not apply, as the bill references traffic signals failing to change "after one cycle of the traffic signal."

Persons Testifying: PRO: Representative DeBolt, prime sponsor; Larry Walker, WA Road Riders Association; Ron Hichfill, private citizen; Ginger Magures, ABATE of WA.

CON: Ashley Probart, Association of WA Cities; Jeff DeVere, WA State Patrol.

OTHER: Mike Dornfeld, WSDOT.